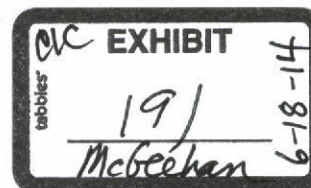


TEXAS HOUSE OF REPRESENTATIVES  
82ND LEGISLATURE  
SELECT COMMITTEE ON VOTER IDENTIFICATION  
AND VOTER FRAUD HEARING  
MARCH 1, 2011  
  
VOLUME II OF II

Transcribed by Rhonda Howard, CSR  
April 11, 2011



Voter Fraud Hearing - Volume 2

March 1, 2011

277

1 JOHN WOODS: Thank you very much.

2 CHAIRMAN BONNEN: Ann McGeehan, the  
3 Elections Division of the Secretary of State,  
4 testifying neutral on Committee Substitute to Senate  
5 Bill 14.

6 ANN MCGEEHAN: Good afternoon. Ann  
7 McGeehan with the Office of the Texas Secretary of  
8 State.

9 CHAIRMAN BONNEN: Questions, Members?  
10 I think Mr. Veasey has questions.

11 REPRESENTATIVE VEASEY: I -- I --  
12 I -- I'm sorry. Let me turn on the microphone. I  
13 do have questions for you.

14 I was concerned about the fiscal note.  
15 Can you talk a little bit about the fiscal note that  
16 you all came up with? Because other smaller states,  
17 states that are significantly smaller with -- than  
18 ours, with a lot less television markets, came up  
19 with much higher figures than you did. So that --  
20 that number sort of startled me a little bit.

21 ANN MCGEEHAN: Sure. Yeah. I would  
22 be happy to explain how we arrived at that figure.

23 Since the Help America Vote Act passed at  
24 the federal level in 2002, the states have been  
25 given some funds for voter education. So the



ESQUIRE  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
--Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 Secretary of State's office has done a statewide  
2 voter education effort in 2006, eight and ten. And  
3 the average cost for those statewide voter education  
4 efforts has been 2.5 million dollars. So I can tell  
5 you that for the 2010 cycle what we did was we spent  
6 \$2.5 million, and it included upgrades to our  
7 website. We created a new website called  
8 VoteTX.org, or actually redesigned it. It had been  
9 created previously. We did traditional advertising  
10 in television, did some PSAs in television, radio  
11 newspaper, experimented a little bit on the Internet  
12 with FaceBook and Twitter, and also did some ads on  
13 public transportation.

14 We did seven telethons in -- in the  
15 Valley, Austin, Dallas and Houston, four on Spanish  
16 T.V. stations and three on English. And then we  
17 also did a face-to-face outreach where we traveled  
18 to 23 cities around the State and interacted  
19 personally with more than 15,000 Texans. So that's  
20 what -- that's kind of the model of what we've done.

21 So when we were asked to prepare a fiscal  
22 note, we looked at our past voter education efforts.  
23 We also looked at in 2009, when the Senate passed a  
24 voter I.D. bill that contained, I think, almost the  
25 same language as what's in the current Committee





Voter Fraud Hearing - Volume 2

March 1, 2011

279

1       Substitute, Senate Finance put a rider on the bill  
2       for \$2 million, which to us indicated that that at  
3       least -- at least on the Senate side, that's what  
4       they thought was appropriate for the voter education  
5       program.

6                   REPRESENTATIVE VEASEY: What was --  
7       what was their methodology? I'm sorry --

8                   ANN MCGEEHAN: The Senate's?

9                   REPRESENTATIVE VEASEY: -- for  
10      arriving at that figure?

11                  ANN MCGEEHAN: I don't know.

12                  REPRESENTATIVE VEASEY: Did they --  
13      did they share any with you?

14                  ANN MCGEEHAN: Not with me.

15                  REPRESENTATIVE VEASEY: The -- it's  
16      just a number they -- they put out there?

17                  ANN MCGEEHAN: Yes, I don't know how  
18      they arrived at that number.

19                  REPRESENTATIVE VEASEY: Okay. Yeah.  
20      Because I -- in Missouri it looks like the bill cost  
21      a lot more than in Texas, and they have -- you know,  
22      their biggest market was No. 20th. And of course  
23      Dallas/Fort Worth is No. 5, and Houston is No. 7,  
24      San Antonio, 30, Austin, 42, El Paso, 46. How --  
25      how many -- how many television ads in the Metroplex



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)

1 could you buy with \$750,000?

2 ANN MCGEEHAN: Well, I know in  
3 two-point -- I'm sorry, in 2010 we spent 1.8 million  
4 just on purchasing the advertising.

5 REPRESENTATIVE VEASEY: Okay.

6 ANN MCGEEHAN: So I'm sure we could  
7 get you the breakdown to show how much in each media  
8 market, but the bulk was spent on purchasing the  
9 advertising.

10 REPRESENTATIVE VEASEY: Purchasing  
11 all forms of advertising?

12 ANN MCGEEHAN: Yeah. That included  
13 T.V., radio --

14 REPRESENTATIVE VEASEY: Yeah.

15 ANN MCGEEHAN: -- and newspaper.

16 REPRESENTATIVE VEASEY: Do you know  
17 how many spots you all were running like in the  
18 Metroplex?

19 ANN MCGEEHAN: We can get you the  
20 detail on that, because I know the company we  
21 contracted with I think gave us a detailed report of  
22 exactly where it was aired and if we got any  
23 earned -- earned media, things like that. We can  
24 get you that.

25 REPRESENTATIVE VEASEY: Okay.



1 CHAIRMAN BONNEN: Representative  
2 Anchia.

3 REPRESENTATIVE ANCHIA: Mr. Chairman,  
4 I wanted to dovetail on a question -- the line of  
5 questioning of Representative Veasey.

6 Again, Missouri had a two-year,  
7 \$9.5 million estimate for their voter I.D. bill in  
8 2006, including the cost of free I.D.s, poll worker  
9 training and the production of -- of voter education  
10 material. Missouri is a state one-fourth the size  
11 of Texas. Wisconsin, that has a population less  
12 than one-point -- 5.6 million people, less than  
13 one-fourth the size of the State of Texas, had an  
14 annual fiscal note on their bill of 2.3 million. So  
15 biannual, it would be 4.6 in lost revenue due to the  
16 provision of free I.D.s.

17 Maryland has a population of 5.6 million  
18 where they provide free I.D.s only in limited  
19 circumstances, projecting a \$1.6 million annual  
20 fiscal note. In 2010, Indiana, which was later --  
21 which was after -- after the initial passage of the  
22 bill, which was required to provide free I.D.s, they  
23 have a population of 6.4 million, about a quarter of  
24 the size of the State of Texas. They spent 1.3  
25 million to provide free I.D.s.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)



Voter Fraud Hearing - Volume 2

March 1, 2011

282

1 In that \$2 million figure, do you have  
2 any -- do you have any -- any data on the provision  
3 of free I.D.s, or is it exclusively your marketing  
4 budget?

5 ANN MCGEEHAN: 2 million was  
6 exclusively for the voter education effort.

7 UNIDENTIFIED REPRESENTATIVE: Okay.

8 ANN MCGEEHAN: And as far as the  
9 other states and -- like Missouri, I know that we --  
10 we tried to get a little information, because  
11 Senator Gallegos asked that question at the Senate  
12 hearing.

13 UNIDENTIFIED REPRESENTATIVE: Right.

14 ANN MCGEEHAN: And one thing that was  
15 different about their bill, which I think was later  
16 struck down -- I don't think they ever implemented  
17 the 2006 legislation --

18 UNIDENTIFIED REPRESENTATIVE: Uh-huh.

19 ANN MCGEEHAN: -- was that they were  
20 actually having to install equipment throughout the  
21 State to issue photo I.D.s for purposes of the  
22 legislation, which is not in this bill.

23 So I -- I don't know about Wisconsin and  
24 Maryland. You know, each -- it depends on what the  
25 bill says.



ESQUIRE  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquireolutions.com

1 UNIDENTIFIED REPRESENTATIVE: I'll  
2 talk a little bit about the media markets in  
3 Missouri. St. Louis and Kansas City are the two  
4 largest. They spent significantly more in  
5 marketing. You're basing -- same -- same thing with  
6 other states.

7 You're -- you're -- you're basing your  
8 estimate on T.V. commercials, print and I guess some  
9 radio, \$300,000 worth of radio on a -- an estimate  
10 that -- of last year's expenditure, I guess, or a  
11 prior year's expenditure with a significant change  
12 if this bill passed. Would you agree it's a pretty  
13 significant change to current law?

14 ANN MCGEEHAN: Yeah.

15 UNIDENTIFIED REPRESENTATIVE: Okay.  
16 Do you think -- do you think that the same -- the  
17 same budget that you would use last time around with  
18 no significant change in state law would be  
19 appropriate for a voter education program with a  
20 significant change in state law?

21 ANN MCGEEHAN: Well, it's -- and I'll  
22 try to state this clearly, because I don't know that  
23 I explained it so well on the Senate side. But we  
24 do have plans, I guess, to have continuing voter  
25 education programs, because we still have HABA



ESQUIRE  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiresolutions.com](http://www.esquiresolutions.com)



1 funds. So when we were asked to prepare this fiscal  
2 note, we were assuming we're going to continue to do  
3 our statewide education effort. So we looked at how  
4 do we weave in the new voter I.D. requirements into  
5 a statewide voter education program. So I can't  
6 tell you exactly what that's going to end up being,  
7 but if we're just asked for purposes of this fiscal  
8 note to say what does it cost to educate on voter  
9 I.D., that was our best guess, because we -- we will  
10 integrate it with, you know, whatever voter  
11 education program we do for 2012. So if we do  
12 2.5 million effort in 2012, you know, some of that  
13 will cover voter education, maybe will go to a  
14 little higher than that. But I guess the point is  
15 we have federal dollars to educate voters on the  
16 process to vote and get registered. And so we will  
17 incorporate and enhance it to include education on  
18 the new voter I.D. requirements.

19 UNIDENTIFIED REPRESENTATIVE: And  
20 would that -- would that education occur over a  
21 year, two years? Would it be ongoing? The bill --  
22 the bill doesn't specify. What's -- what's your  
23 view and what do the HABA dollars come in?

24 ANN MCGEEHAN: The -- the bill I  
25 think says that we have to start preparing the



1 training and the voter education as soon as  
2 possible. Our fiscal note assumes that it would  
3 just be for one cycle, so I think we put it all for  
4 the 2012 fiscal year.

5 We have \$7 million left in the State  
6 Treasury that's earmarked for voter education and  
7 poll worker training, election official training.

8 UNIDENTIFIED REPRESENTATIVE: Those  
9 are HABA funds?

10 ANN MCGEEHAN: Those are the HABA  
11 funds, and they don't expire. I don't think the  
12 federal government can take them back, but we are  
13 hearing that they're not -- they don't have any  
14 plans to issue any more funds. So, essentially,  
15 that's all we've got.

16 UNIDENTIFIED REPRESENTATIVE: In the  
17 new -- on the significant change in legislation for  
18 one election cycle, essentially for the 2012  
19 election cycle?

20 ANN MCGEEHAN: Well, based on the  
21 language that's in the bill.

22 UNIDENTIFIED REPRESENTATIVE: Based  
23 on language that's in the bill?

24 ANN MCGEEHAN: Right.

25 UNIDENTIFIED REPRESENTATIVE: Okay.



ESQUIRE  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
www.esquiresolutions.com

1 How -- for major changes in legislation -- well, let  
2 me back up a step.

3 What's your evaluation of poll worker  
4 training currently in the -- in the counties?

5 ANN MCGEEHAN: In the counties? I  
6 think that there are a variety of tools counties can  
7 use to educate poll workers. We -- with our HABA  
8 dollars, we created an online poll worker training  
9 that's free for all counties to use. Some counties  
10 have used their HABA funds to create their own  
11 specific online training. Most counties do some  
12 form of in-person training, where they require  
13 workers to come in, you know, see the machines,  
14 learn how to operate the machines. We, the  
15 Secretary of State's office, has a 30-minute video  
16 that we do, and we update usually every two years.  
17 That's also free of charge. So there's some  
18 different ways.

19 UNIDENTIFIED REPRESENTATIVE: You  
20 answered a different question, though.

21 ANN MCGEEHAN: Oh.

22 UNIDENTIFIED REPRESENTATIVE: You  
23 answered what resources are available, which I  
24 appreciate. But what's your -- what's your  
25 assessment of the quality of poll worker training?





1 And I know it's difficult to get poll workers.  
2 There's turnover frequently. We pay them very  
3 little. I believe that they're volunteers.

4 When you have a -- a change in the  
5 Election Code, just a minor change, by way of  
6 example, it doesn't immediately filter down to all  
7 poll workers, does it? I mean, ensuring practice  
8 and implementation, it's something that takes time?

9 ANN MCGEEHAN: Sure.

10 UNIDENTIFIED REPRESENTATIVE: Isn't  
11 that right?

12 ANN MCGEEHAN: That's right.

13 UNIDENTIFIED REPRESENTATIVE: I mean,  
14 because I hear from poll workers all the time and,  
15 you know, they didn't know the law had changed. I  
16 tried to do some continuing education myself, having  
17 sat on the Elections Committee in the past, to bring  
18 people up to speed. And I'm always very impressed  
19 at how earnest the poll workers are, but also  
20 sometimes very surprised -- you know, they're not  
21 Election Code experts and it does take some time for  
22 changes in the Election Code to filter down to them.

23 For a change of this magnitude, do you  
24 think it will take some time for folks to be aware  
25 of the law?



1 ANN MCGEEHAN: I think it will take  
2 some time. I think the bill has some very strict  
3 requirements in there, though, that requires all  
4 judges and clerks to take the Secretary of  
5 State-prescribed training. So it -- it sounds to me  
6 like it's a mandate that they have to take that  
7 training, whereas right now in many elections it's  
8 optional.

9 UNIDENTIFIED REPRESENTATIVE: How  
10 much is that going to cost for everybody to take the  
11 training?

12 ANN MCGEEHAN: Our plans will be to  
13 update our video and to update the online training.  
14 So that would be two free for, you know, counties to  
15 use and for citizens to use on top of whatever the  
16 counties may be using, as well.

17 UNIDENTIFIED REPRESENTATIVE: Do you  
18 think with a mandate like that, would that mandate  
19 be satisfied by watching the video?

20 ANN MCGEEHAN: I think it could be.  
21 Currently, that is used for poll worker training.

22 UNIDENTIFIED REPRESENTATIVE: Uh-huh.  
23 So that would be enough?

24 ANN MCGEEHAN: Unless the statute is  
25 changed. But as currently written, I think that



1 would satisfy the bill.

2 UNIDENTIFIED REPRESENTATIVE: Okay.

3 Does it surprise you that people -- that poll  
4 workers are already asking for photo I.D. despite  
5 the training that occurs? Does that surprise you?

6 ANN MCGEEHAN: We have heard that  
7 before, yes.

8 UNIDENTIFIED REPRESENTATIVE: Quite a  
9 bit. Even in the district that I represent we've  
10 got folks that are asking for photo I.D. currently.

11 A lot of people have been talking about a  
12 600,000 registered voter figure. These people --  
13 these are people who apparently registered without  
14 using some form -- either their Social Security  
15 number or a -- a driver's license number.

16 Isn't the use even bigger than that? I  
17 mean, I see a figure here that for people who did  
18 not register without a driver's license number --  
19 pardon me, for people who registered without their  
20 driver's license ensuring the figure is more like  
21 2.8 million.

22 ANN MCGEEHAN: That's true when you  
23 look at the entire voter database.

24 UNIDENTIFIED REPRESENTATIVE: This is  
25 your HABA-compliant database.



**ESQUIRE**  
DEPOSITION SOLUTIONS

Toll Free: 800.211.DEPO  
Facsimile: 512.328.8139

Suite 220  
3101 Bee Caves Road  
Austin, TX 78746  
[www.esquiredepositionsolutions.com](http://www.esquiredepositionsolutions.com)



1 ANN MCGEEHAN: Right. But, you know,  
2 prior to January 1, 2006, you could register to vote  
3 without providing your driver's license or Social  
4 Security number. So people that were registered  
5 before 2006 may not have provided one of those.  
6 That doesn't necessarily mean that they don't have  
7 one, but they didn't have to provide one to get  
8 registered to vote.

9 UNIDENTIFIED REPRESENTATIVE: Well,  
10 we don't know whether they did or not, because it  
11 wasn't listed. Correct?

12 Have you all done a match to determine  
13 with the driver's license file as to whether these  
14 folks have driver's licenses or not?

15 ANN MCGEEHAN: Uh-huh. We've been  
16 asked to do that and we're looking at this to make  
17 sure that -- looking at the official list of voters  
18 in the Secretary of State's office, trying to  
19 compare that to DPS. And our IT Department is  
20 looking at that, trying to get good matching  
21 criteria, because without that unique identifying  
22 number of the TDL, it can be sometimes difficult to  
23 make sure you have the right match.

24 UNIDENTIFIED REPRESENTATIVE:  
25 Somebody came up and said there was 600 -- you have

